

United States District Court
for the
Southern District of New York
Related Case Statement

Full Caption of Later Filed Case:

Jeannette Fuller Hausler, as Successor
Personal Representative of the Estate
of Robert Otis Fuller,

Plaintiff	Case Number
vs.	
Defendant	

Full Caption of Earlier Filed Case:

(including in bankruptcy appeals the relevant adversary proceeding)

Jeannette Fuller Hausler, as Successor
Personal Representative of the Estate
of Robert Otis Fuller, et al.,

Plaintiff	Case Number
vs.	09-cv-10289 (VM)
Defendant	

Status of Earlier Filed Case:



Closed

(If so, set forth the procedure which resulted in closure, e.g., voluntary dismissal, settlement, court decision. Also, state whether there is an appeal pending.)



Open

(If so, set forth procedural status and summarize any court rulings.)

The earlier filed case is a proceeding to enforce and collect on a Florida state court judgment, given full faith and credit by the U.S. District Court for the Southern District of Florida (the "SDFL Judgment") and by this Court. The SDFL Judgment was registered in this Court on September 24, 2008 under 18-Misc-302. See Case No. 09-Civ-10289, ECF No. 31-3. Separately, other Florida state enforcement proceedings were removed to the Southern District of Florida and transferred to this Court (Marrero, J.) under Case No. 09-Civ-10289. By order dated April 20, 2010, Judge Marrero consolidated into Case No. 09-Civ-10289 various proceedings related to the judgment which were then open at that time under 18-Misc-302. See Case No. 09-Civ-10289, ECF No. 18. In this earlier filed case, Plaintiff seeks the turnover of assets of the Judgment Debtors (The Republic of Cuba, Fidel Castro Ruz, and the Cuban Revolutionary Armed Forces), which were blocked and subject to turnover pursuant to U.S. sanctions statutes and regulations and are held by various financial institutions, including BNP Paribas S.A.

Explain in detail the reasons for your position that the newly filed case is related to the earlier filed case.

The judgment being enforced in the earlier filed case before Judge Marrero is the same judgment being enforced in this newly filed case. In that now-consolidated Case No. 09-Civ-10289, the Court issued two writs of execution that were levied on BNP Paribas S.A. As alleged in the Petition, BNP Paribas S.A. provided intentionally misleading responses to the writs in furtherance of a criminal conspiracy to launder Cuban funds using the U.S. banking system, in particular, at its New York branch. Petitioner respectfully requests that the Court find BNP Paribas S.A. in contempt of court for willfully providing misleading responses to the writs issued in Case No. 09-Civ-10289 and for the deliberate dereliction of the statutory duty to hand over the Cuban funds in response to those writs, and award appropriate sanctions in favor of Petitioner.

Signature: CB Miner

Date: 10/23/15

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